

EXHIBIT A-2**Defendant's Deposition Designations**

Altair designates the following deposition testimony for witnesses it will call in its case in chief via deposition. Plaintiffs' objections and counterdesignations are noted herein, as are Altair's responses to Plaintiffs' objections/counterdesignations. In the event that Altair has designated a witness to testify live, and that witness is unable to appear live at trial for reasons beyond Altair's control, Altair reserves the right to designate deposition testimony for that witness instead. Also, Altair understands that discovery is ongoing in related litigation including, e.g., *Aspex v. Zenni*. Altair reserves the right to designate testimony from witnesses who testify in that or other matters if such testimony is provided to Altair following its submission of these designations. Altair further reserves the right to designate additional deposition testimony for purposes of cross-examination, rebuttal, impeachment and/or in response to any further designations by Plaintiffs.

Charles Baxley

Aspex v. Elite – (12/03/2002)

Plaintiffs' General Objections: Plaintiffs object *in toto* to Mr. Baxley's deposition. There is no properly pled inequitable conduct claim in this case, and testimony regarding what was and was not filed before the PTO, and testimony regarding what the inventor Richard Chao did or did not know is not admissible under, among other Rules, Fed.R.Evid. 402 and 403. *See also Exergen Corp. v. Wal-Mart Stores, Inc.*, 575 F.3d 1312 (Fed. Cir. 2009). Mr. Baxley was also not patent prosecution counsel during the entire period in which the '054 Patent application was pending, and his testimony thus presents an incomplete picture of the prosecution of that application. Plaintiffs' objections and counter designations are contingent upon the Court allowing the testimony.

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
6:11-21					
17:21-23:3	402, 403				
24:6-26:4					

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
26:5-28:17		28:18-29:3	FRE 402, 403		
31:3-16		31:17-22	FRE 402, 403		
31:23-33:6	402, 403				
34:8-36:6					
36:7-37:5					
41:14-42:21					
43:14-44:21	403, 403, 602, 802, 803				
48:15-50:13	49:13-22 402, 403				
51:12-61:13					
61:14-23					
80:17-81:16		81:17-82:11	FRE 402, 403		
87:21-88:4	402, 403, 802, 803				

Vitaliana Conforti
Aspex v. Altair – (8/26/2004)

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
5:22-6:2					
7:4-8					
10:1-13					
10:23-11:4					
11:25-12:1					
12:21-13:21					
14:7-8					
20:15-25					
21:7-11					
22:3-21					
23:11-13					
23:22-24:6		24:7-16, 28:11-14			
33:5-34:3					
36:10-17					
37:1-39:8	Speculative, 602				
39:22-40:1		39:20-21			
41:15-25					

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter- Designations	Def.'s Objections	Def.'s Counter- Designations	Pl.'s Response
43:8-45:7		45:8-10		44:21-45:7	
58:6-11					
58:22-25	602	58:12-21, 59:2-60:16			
62:8-13		62:7, 76:11- 77:2	FRE 602, 901		
79:3-20					
79:22-80:2		80:3-7			
82:21-24					
83:8-84:12					
84:14-16					
85:3-10					
85:22-86:6		86:7-15, 87:3- 9	FRE 402, 403		
87:10-88:4					
88:14-89:3	402, 403	90:20-91:1, 92:6-92:17			
92:18-93:1	Speculative, 602				
94:6-20					
95:11-97:3	402, 403, 602	97:4-5			
97:16-17		97:18-20			
98:10-23	402, 403, 602, 1004	98:24-25	FRE 402, 403		
99:20-22	Speculative, 402, 403, 602, 1004	99:1-4, 100:7- 11	FRE 402, 403		
101:16-21					
102:5-7	402, 403	103:2-7, 103:19	FRE 403, 602		
106:4-6	402, 403, 1004	104:12-17, 104:23-105:3, 105:15-106:3, 106:7-10	FRE 403, 602		
106:11-107:8	402, 403, 60, 1004, speculative	107:9-108:11	FRE 403, 602		
109:16-20		109:13-15, 109:21-110:2			
110:3-8		110:9-12			
114:16-115:1		111:4-10, 115:13-22	FRE 602		

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
117:8-9					
117:12		117:13-20			
118:20-119:4	402, 403, 1004, speculative				
119:13-20	402, 403, 1004, speculative				
120:7-24	402, 403, 1004, speculative				
121:7-10	402, 403, 1004, speculative				
126:20-127	402, 403, 1004, speculative				

Allen Leck
Aspex v. Altair – (1/13/2005)

Plaintiffs' General Objections: Plaintiffs object to Mr. Leck's testimony. Altair has designated Joel Sodano as its expert for trial. Mr. Leck's testimony is also directed to issues related to patents that are no longer part of this case, or to claim construction and infringement issues that are not longer relevant to Altair's defenses after the Federal Circuit's opinion. Mr. Leck's testimony is thus irrelevant. Fed.R.Evid. 402, 403. Mr. Leck also testified that he is not familiar with the prior art upon which Altair has relied for its invalidity defenses, and his testimony is not helpful to the jury. Fed.R.Evid. 701, 702. Plaintiffs' objections and counter designations are contingent upon the Court allowing the testimony.

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
61:23-65:14	402, 403, 702				
69:4-69:9	402, 403, 702	69:16-25	FRE 402, 403	70:1 – 70:2	
88:1-10	402, 403, 702				

Harry Manbeck
Aspex v. Concepts in Optiks (10/26/2000)

Plaintiffs' General Objections: Plaintiffs object to the testimony of Harry Manbeck in its entirety. The Court found in 2005 that Mr. Manbeck did not have ordinary skill in the art of the technology of the '054 Patent, and his testimony is not admissible under Fed.R.Evid. 702. Plaintiffs' expert is Lee Zaro. Plaintiffs' objections and counter designations are contingent upon the Court allowing the testimony.

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
53:9-53:20	402, 403, 602, 701, 702				

Raul Renaud
Aspex v. Altair (6/30/2004)

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
6:5-9:13					
9:14-15:2					
15:7-15:21					
9:17-20:22					
20:24-21:24	402, 403, 701				
22:4-24:17					
24:18-25:1					
25:3-29:22	25:3-26:13 402, 403, 602, 802, 803 26:14-29:22 402, 403, 901				
29:23-33:15					
33:16-34:9		34:10-14			
34:15-35:15					
35:16-36:23	35:25-36:20 402, 403, 602, 802, 803	36:24-37:12			
37:13-40:23	402, 403, 701, 802, 803, 602				
41:2-45:18	802, 803, 901, 602	48:10-17			

Raul Renaud 30(b)(6)
Aspex v. Altair –(7/20/2004)

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
36:21-39:15	402, 403, 1004				
76:5-25	402, 403, 602, 1004				

Michelle Skinner
Aspex v. Altair – (6/28/2004)

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
8:7-10:8					
43:25-51:11		41:11-43:16	FRE 402, 403	40:21 – 41:6	
13:7-14:5					
56:13-58:17	602; speculative				

Peter Tong
Aspex v. E'lite (12/4/2002)

Plaintiffs' General Objections: Plaintiffs object *in toto* to Mr. Tong's testimony. There is no properly pled inequitable conduct claim in this case, and testimony regarding what was and was not filed before the PTO, and testimony regarding what the inventor Richard Chao did or did not know is not admissible under, among other Rules, Fed.R.Evid. 402 and 403. *See also Exergen Corp. v. Wal-Mart Stores, Inc.*, 575 F.3d 1312 (Fed. Cir. 2009). Plaintiffs' objections and counter designations are contingent upon the Court allowing the testimony.

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter-Designations	Def.'s Objections	Def.'s Counter-Designations	Pl.'s Response
27:6-30-8	402, 403, 901, 802, 803				
34:21-48:11	34:21-41:17 402, 403, 602 47:4-48:11 40, 403, 602, speculative				
53:1-53:25	402, 403,				
58:12-60:4	59:14-60:4 402, 403, 602, 802, 803, improper				

Def.'s Page and Line Designations	Pl.'s Objections	Pl.'s Counter- Designations	Def.'s Objections	Def.'s Counter- Designations	Pl.'s Response
	hypothetical				
60:6-65:14	62:19-65:14 402, 403, 802, 803				
65:15-68:17	Incomplete hypothetical; 402, 403, 602, 901				
68:18-73:1	402, 403, 602, 901				
73:3-79:25	402, 403, 602, 701				
80:1-82:24	402, 403, 602, 701				
83:8-87:3	85:3-13 402, 403, 602 86:19-87:3 402, privileged communi- cation				
87:5-89:3	87:5-88:21 402, 403, 602, speculative				
89:4-105:20	402, 403, 602, privilege, 901, 802, 803				